

Message

From: Kupchan, Simma [Kupchan.Simma@epa.gov]
Sent: 4/20/2020 1:30:28 PM
To: Wehling, Carrie [Wehling.Carrie@epa.gov]; Wade, Alexis [Wade.Alexis@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]
Subject: RE: meeting Monday on assumption?
Attachments: 404g Retained Adjacent Wetlands table opt sel2_Clean.docx; Retained Adjacent Wetlands Options Sel 2_CLEAN.docx



404g Retained
Adjacent Wetlan...



Retained Adjacent
Wetlands Option...

Below are the topics listed for discussion at Options selection. I just received the attached papers discussing adjacent wetlands. We have discussed all of the prior subjects at our initial options selection pre-brief, and I'm not aware of changes made to those papers since our last discussion. We can briefly review the content of the other papers at our pre-meeting as a refresher. There is a pre-brief with John Goodin this afternoon, so we should be better informed by Tuesday.

- Retained adjacent wetlands
 - *Clarification regarding Identification of retained wetlands*
 - Permitting of projects that cross administrative line
- Endangered Species Act Section 7 consultation on program approvals
- **Ex. 5 Deliberative Process (DP)**
- Tribal assumption issues
 - **Ex. 5 Deliberative Process (DP)** (and)
- Mitigation
 - Definition of permitting authority and permits
 - *Mitigation instrument approval*
 - *Coordination between Section 404 permitting authorities, with consideration to the IRT removal*
- Delayed implementation

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Wehling, Carrie <Wehling.Carrie@epa.gov>
Sent: Monday, April 20, 2020 8:54 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Subject: RE: meeting Monday on assumption?

I think the options selection meeting was at some point scheduled for April 29 so that may be how this ended up being on the 27th. In any case, was there any final decision on what the subject matter of this options selection is? That's been a moving target.... Thanks.

Carrie

Caroline (Carrie) Wehling
Assistant General Counsel
Water Law Office
U.S. Environmental Protection Agency
Washington DC 20004
202-564-5492
wehling.carrie@epa.gov

From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Saturday, April 18, 2020 10:20 PM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Subject: RE: meeting monday on assumption?

Oh, my. Thank you so much for catching that, Alexis. I saw that it had been scheduled for Monday and didn't double check the date. I will ask Carla to reschedule for *this* Monday or Tuesday; it looks like all four of us have some openings.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Friday, April 17, 2020 4:44 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Subject: meeting monday on assumption?

Kathy mentioned that she thought the OGC crew was meeting Monday to prepare for the assumption pre-brief on Wednesday with Dave. I have a meeting on my calendar for the 27th. Is that meeting supposed to be on the 20th?

Thanks,
Alexis

Alexis Wade
Attorney-Adviser

Water Law Office
EPA Office of General Counsel
(202) 564-3273